

Applic. No.: 09/688,463
Amdt. Dated August 26, 2004
Reply to Office action of June 25, 2004

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-4, 6-11, and 14 remain in the application. Claims 1, 6, 8, 14 have been amended. Claims 5 and 12-13 have been cancelled. Claim 9 has been allowed.

In the third paragraph on page 2 of the above-mentioned Office action, claims 1, 5-6, 8, 10, and 14 have been rejected as being anticipated by Wirz (US Pat. No. 5,479,856) under 35 U.S.C. § 102(b).

In the second paragraph on page 3 of the above-mentioned Office action, claims 2-3 have been rejected as being unpatentable over Wirz in view of Kolbe et al. (US Pat. No. 6,016,748) under 35 U.S.C. § 103(a).

In the third paragraph on page 3 of the above-mentioned Office action, claim 4 has been rejected as being unpatentable over Wirz in view of Hoffmann et al. (US Pat. No. 5,503,674) under 35 U.S.C. § 103(a).

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In the first paragraph on page 4 of the above-mentioned Office action, claim 7 has been rejected as being unpatentable over Wirz under 35 U.S.C. § 103(a).

In the second paragraph on page 4 of the above-mentioned Office action, claim 11 has been rejected as being unpatentable over Wirz in view of Rodi (US Pat. No. 5,115,741) under 35 U.S.C. § 103(a).

The rejections have been noted and claims 1, 6, 8, and 14 have been amended in an effort to even more clearly define the invention of the instant application. Support for the changes is found in the first paragraph on page 10 of the specification.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1 and 14 call for, inter alia:

a second printing machine having a sheet delivery, least one zoneless metering device for uniformly metering at least one of ink and varnish, respectively, over a printing width, and a single applicator cylinder for contacting the sheets, said at least one zoneless metering device being associated with said single applicator cylinder.

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A person skilled in the art understands that the term "applicator cylinder" refers to the kind of cylinder that works together with the impression cylinder (of the second printing machine) and contacts the sheets transported from this impression cylinder. This cooperation of the applicator cylinder is shown in the drawings of the instant application with reference numerals 31 and 32. The applicator cylinder can be equipped with a flexographic printing form or a rubber blanket for varnishing or printing of the sheets (see page 10, first paragraph, of the specification of the instant application).

It is noted that although the text on pages 9-10 of the specification of the instant application mentions two applicator cylinders 31 and 32, the text equally refers to two different embodiments of Figs. 1 and 2. There is only one single applicator cylinder in each embodiment, namely the applicator cylinder 31 in Fig. 1 and the applicator cylinder 32 in Fig. 2.

The Examiner has admitted in the last paragraph on page 3 of the above-mentioned Office action that Wirz does not disclose any details of the structure of the inking unit 7. Since Wirz does not disclose any details, Wirz also does not disclose if the inking unit 7 has a zoneless metering device (as in the

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invention of the instant application) or instead a metering device with ink zones. Therefore, the Examiner's conclusion in lines 7-8 of the last paragraph on page 2 of the above-mentioned Office action that Wirz teaches the second printing unit "provided with a plurality of zoneless ink metering devices 7" is incorrect and unfounded.

Even if a person skilled in the art does not follow the Examiner's admission that Wirz does not disclose any details of the inking unit 7, he or she would come to a completely different conclusion than the Examiner. It is clearly shown in the drawings of Wirz that the inking unit 7 has a considerably large amount of rollers. This kind of large amount of rollers is typical for an inking unit that has a metering device with ink zones, but not a zoneless metering device. The inking unit 7 needs this kind of large amount of rollers in order to achieve its object, by ink distribution, that the inking profile be smooth and have no abrupt transition from ink zone to ink zone. Therefore, the large number of rollers teaches a person skilled in the art away from a zoneless metering device.

In addition, Wirz and the invention of the instant application have the following difference: In Wirz, the second printing machine has four (namely more than one) applicator cylinders,

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specifically blanket cylinders 5 (see column 5, line 29 and the drawing of Wirz). In stark contrast to Wirz, in the invention of the instant application, the second printing machine has only one single applicator cylinder.

Clearly, Wirz does not show "a second printing machine having a sheet delivery, at least one zoneless metering device for uniformly metering at least one of ink and varnish, respectively, over a printing width, and a single applicator cylinder for contacting the sheets, said at least one zoneless metering device being associated with said single applicator cylinder," as recited in claims 1 and 14 of the instant application.

Claims 1 and 14 are, therefore, believed to be patentable over Wirz and since claims 2-4, 6-8, 10-11 are ultimately dependent on claim 1, they are believed to be patentable as well. Claim 5 has been cancelled.

Applicant acknowledges the Examiner's statement in item the third paragraph on page 4 of the above-mentioned Office action that claim 9 has been allowed.

In view of the foregoing, reconsideration and allowance of claims 1-4, 6-8, 10-11, and 14 are solicited.

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In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to 37 CFR Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

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